



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. TEL-01068NS

Tuesday September 19, 2006

NON STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING

Section 214 Applications (47 C.F.R. § 63.18); Authorize Switched Services over Private Lines (47 C.F.R. § 63.16) and Section 310(b)(4)

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. No application listed below shall be granted by the Commission earlier than the day after the date specified in this public notice for the filing of comments.

Unless otherwise specified, ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Petition for Declaratory Ruling

RigNet SatCom, Inc. (RigNet or the "Petitioner") requests a declaratory ruling that it is in the public interest to permit indirect foreign ownership of RigNet in excess of the 25 percent benchmark set forth in section 310(b)(4) of the Communications Act of 1934, as amended (the "Act"). This request is filed in connection with an application for a common carrier VSAT license. See File No. SES-LIC-20060815-01373.

According to the petition, RigNet is a Delaware corporation that is wholly owned by RigNet Inc., a privately-held corporation organized under Texas law. RigNet Inc. is owned by a number of individuals and investment funds. The Petitioner states that the total foreign ownership of RigNet Inc. is approximately 49 percent, all of which comes from Norwegian individuals or companies that have their principal places of business in Norway. The Petitioner requests that we find it in the public interest for Energivekst AS to hold indirectly a 37 percent non-controlling interest in RigNet, and for the individual Norwegian investors identified in the petition to hold their specified interests.

The Petitioner asserts that, pursuant to the rules and policies established by the Commission's Foreign Participation Order, 12 FCC Rcd 18158 (2000), the indirect foreign ownership of RigNet in excess of the 25 percent benchmark in Section 310(b)(4) of the Act is consistent with the public interest. The Petitioner also requests advance authority to accept up to and including an additional aggregate 25 percent total indirect equity and voting interest from any of RigNet's current indirect foreign investors, as well as any other foreign investors without seeking prior Commission approval under section 310(b)(4) of the Act, so long as any additional foreign ownership above 49 percent does not result in a transfer of control or cause the amount attributable to a single entity from a World Trade Organization (WTO) Member country, or cumulatively to entities from non-WTO Member countries, to exceed 25 percent of RigNet's total ownership. Finally, Petitioner requests authority to accept additional non-controlling investment by Energivekst AS up to any amount less than 50 percent.

Transfer of Control

Current Licensee: DataPath, Inc.

FROM: DPI Holdings, LLC

TO: DataPath, Inc. (Post-Offering)

Application for consent to transfer control of international section 214 authorization held by DataPath, Inc. (DataPath), ITC-214-19980713-00476 from its 100% parent company, DPI Holdings, LLC (DPI), to institutional investors that acquired, in the aggregate, approximately 75 percent of DataPath shares in a private offering completed June 30, 2006. DataPath consummated the transaction without prior Commission approval. The transaction involved the elimination of DataPath's parent holding company, DPI, and a private offering of stock directly in DataPath. As a result of the transaction, approximately 20 percent of DataPath shares are held by individuals or entities that are citizens of, organized in, or primarily do business in foreign countries. According to DataPath, no individual or entity, whether U.S. or foreign, holds as much as 10 percent of the shares of the company. Applicant also states that no individual, or group of individuals, has acquired de facto control of DataPath as a result of the transaction.

REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–.2003.

An updated version of Section 63.09-.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>